

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ACE AMERICAN INSURANCE COMPANY,      )  
  )  
Plaintiff,                                  )  
  ) No. 4:13-cv-01432-JCH  
v.   )  
  ) Honorable Jean C. Hamilton  
DANISCO, USA, INC.,                        )  
  )  
Defendant.                                 )

**STIPULATION AND ORDER OF DISMISSAL**

**STIPULATION**

IT IS HEREBY STIPULATED AND AGREED by Plaintiff and Defendant, by and through their attorneys of record, that all claims and counterclaims arising out of this lawsuit are to be dismissed with prejudice. All parties stipulate that each party will pay their own costs and attorneys' fees.

DATED this 28th day of April, 2015.

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<u>/s/ Victor Abraham Delnore</u> John V. Sylvester Keith A. Fabi Victor Abraham Delnore 210 Sixth Avenue Pittsburgh, PA 15222 Tel : 412.355.6500 (reception) Email : <a href="mailto:john.sylvester@klgates.com">john.sylvester@klgates.com</a> Email : <a href="mailto:keith.fabi@klgates.com">keith.fabi@klgates.com</a> Email : <a href="mailto:abe.delnore@klgates.com">abe.delnore@klgates.com</a>	<u>/s/ Thomas M. Jones</u> Thomas M. Jones, admitted <i>pro hac vice</i> William H. Walsh, admitted <i>pro hac vice</i> COZEN O'CONNOR 1201 Third Avenue, Suite 5200 Seattle, WA 98101 Telephone: 206.340.1000 Email: <a href="mailto:tjones@cozen.com">tjones@cozen.com</a> Email: <a href="mailto:wwalsh@cozen.com">wwalsh@cozen.com</a>
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<p>St. Louis, MO 63103 Tel : 314.231.3168 Email : <a href="mailto:halefirm@aol.com">halefirm@aol.com</a></p> <p><i>Attorneys for Defendant Danisco, USA, Inc.</i></p>	<p>333 West Wacker Drive, Suite 1900 Chicago, IL 60606 Telephone: 312.382.3100 <a href="mailto:msaber@cozen.com">msaber@cozen.com</a></p> <p>Richard F. Huck, III Danna McKitrick, P.C. 7701 Forsyth Blvd., Ste. 800 St. Louis, MO 63105 Telephone: 314.726.1000 <a href="mailto:rmhuck@dmlaw.com">rmhuck@dmlaw.com</a></p> <p><i>Attorneys for Plaintiff ACE American Insurance Co.</i></p>
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## ORDER

IT IS HEREBY ORDERED, ADJUDGED and DECREED that Plaintiff's claims against Defendant are hereby dismissed with prejudice and without costs to any party.

DATED: \_\_\_\_\_, 2015.

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Honorable Jean C. Hamilton

Submitted by:

COZEN O'CONNOR

/s/ Thomas M. Jones

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*Attorneys for Plaintiff ACE American Insurance Co.*

Approved as to Form and Entry;  
Notice of Presentation Waived:

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**CERTIFICATE OF SERVICE**

I hereby certify that on the date below, the foregoing was served via CM/ECF notification to the following counsel of record:

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DATED: April 28, 2015.

*/s/ Jan Young*  
\_\_\_\_\_  
Jan Young, Legal Assistant